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PTO/SB/21 (04-04)

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/806,647
Filing Date	March 22, 2004
First Named Inventor	Baker, Jr., Clark R.
Art Unit	3736
Examiner Name	Unassigned
Attorney Docket Number	009103-009632US

Total Number of Pages in This Submission

ENCLOSURES (Check all that apply)

- | | | |
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| <input type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input type="checkbox"/> Amendment/Reply
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<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
USPTO form SB08B (one page), Return Postcard |
|--|--|---|

Remarks The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Townsend and Townsend and Crew LLP	Reg. No. 31,836
Signature	<i>Paul C. Haughey</i>	
Date	7-30-04	

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Roger Hylton		
Signature	<i>RH</i>	Date	7/30/04



PATENT
Attorney Docket No.: 009103-009632US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Clark R. Baker, Jr. et al.

Application No.: 10/806,647

Filed: March 22, 2004

For: PULSE OXIMETER WITH
PARALLEL SATURATION
CALCULATION MODULES

Examiner: Unassigned

Art Unit: 3736

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

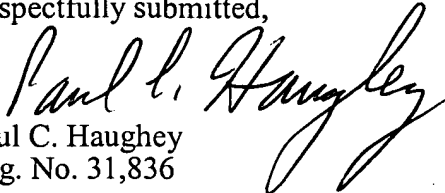
The references cited on attached form PTO/SB/08B are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of the references can be found in Application No. 10/072,589, filed February 5, 2002 (Attorney Docket No. 009103-009631US). It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

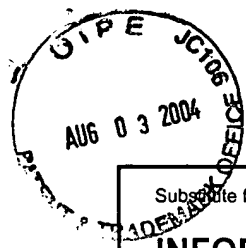
Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the

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Respectfully submitted,


Paul C. Haughey
Reg. No. 31,836

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete if Known			
		Application Number	10/806,647		
		Filing Date	March 22, 2004		
		First Named Inventor	Clark R. Baker, Jr.		
		Art Unit	3736		
		Examiner Name	Unassigned		
Sheet	1	of	1	Attorney Docket Number	009103-009632US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	1	Testimony of Mohammed Diab, Testimony of Jack Goldberg, Reporter's Transcript of Proceedings, Morning Session, Feb. 24, 2004, pp. 626-710, US District Court, Central District of California, No. CV 00 6506-MRP, Los Angeles, California	
	2	Testimony of Jack Goldberg, Reporter's Transcript of Proceedings, Afternoon Session, Feb. 24, 2004, pp. 711-806, US District Court, Central District of California, No. CV 00 6506-MRP, Los Angeles, California	
	3	Testimony of Jack Goldberg, Reporter's Transcript of Proceedings, Morning Session, Feb. 25, 2004, pp. 807-826, US District Court, Central District of California, No. CV 00 6506-MRP, Los Angeles, California	
	4	Joint Exhibits: JTX-5009, JTX-5010, JTX-5013, JTX-5014, JTX-5015, JTX-5017, JTX-5021, US District Court, Central District of California, No. CV 00 6506-MRP, Los Angeles, California	
	5	Testimony of James Edward Corenman, Testimony of Clark Raymond Baker, Jr., Testimony of Robert Thomas Stone, Reporter's Transcript of Proceedings, Afternoon Session, March 3, 2004, pp. 1696- 1795, US District Court, Central District of California, No. CV 00 6506-MRP, Los Angeles, California	
	6	Testimony of Robert Thomas Stone, Reporter's Transcript of Proceedings, Morning Session, March 4, 2004, pp. 1796-1884, US District Court, Central District of California, No. CV 00 6506-MRP, Los Angeles, California	

Examiner Signature		Date Considered	
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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.